

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JERMAINE HAYNES, et al.,

No. C 05-2670 MMC

Plaintiffs,

**ORDER DIRECTING PLAINTIFF DAVID  
MCFARLIN II TO SHOW CAUSE WHY  
HIS CLAIMS SHOULD NOT BE  
DISMISSED FOR FAILURE TO  
PROSECUTE**

v.

ANNA'S LINENS, et al.,


Defendants

On January 27, 2006, plaintiff David McFarlin II ("McFarlin") failed to appear as ordered at a regularly scheduled hearing in the above-entitled action. (See Order Directing Pl. David McFarlin II to Appear in Person at Hearing Scheduled for January 27, 2006.)

Accordingly, McFarlin is hereby ORDERED TO SHOW CAUSE in writing, no later than February 17, 2006, why his claims should not be dismissed pursuant to Rule 41(b) of the Federal Rules of Civil Procedure, for failure to prosecute.

**IT IS SO ORDERED.**

Dated: January 27, 2006

  
MAXINE M. CHESNEY  
United States District Judge